

**Danby Town Board
Minutes of Regular Meeting
March 19, 2018**

Present:

Councilpersons: Leslie Connors, Ric Dietrich (Supervisor), Jim Holahan, Jack Miller, Matt Ulinski

Others Present:

Town Clerk	Pamela Goddard
Code Officer	Paul Hansen
Bookkeeper	Laura Shawley
Highway	Carl Seamon, Jack Shawley
Public	Ted Crane, Ronda Roaring, Pat Woodworth, Charles Tilton, Katharine Hunter

Regular Meeting Opened at 7:08pm

Privilege of the Floor

Ronda Roaring expressed concerns about whether recent appointees to the Planning Board had the qualifications for the tasks at hand. Her concerns were based on a recent interview of a recent appointee. She urged the Board to cultivate participation by residents who have needed qualifications for the volunteer board.

Ted Crane spoke on four different items: upcoming events through the Danby Community Council, including a presentation by members of Cooperative Extension on various options available to residents interested in solar energy for their homes to be held on April 2. Crane stated his support for a resolution urging Charter Cable being more responsive to community needs. Crane made comments on putting to vote the question of Highway Superintendent as appointed rather than elected. He both voiced support for raising the question and concern about potential political reaction from part of the community.

Crane expressed concerns about water resources and the current data being used. He reported that residents' concerns about water resources are a top concern expressed during zoning hearings at the Planning Board, BZA, and even the Town Board. Much of the data and documentation is decades old and some well testing data may be only marginally scientific. Crane advocated for a resident water resource survey, similar to ones undertaken by other nearby Towns. He offered to assist with this project. This comment resulted in a discussion of possible ways to increase the data and quality of data available. There was input from Supervisor Dietrich and Code Officer Hansen. Dietrich reported that the Town is aware of this concern and that he and the Town Planner are exploring possibility of undertaking a survey of water quality and quantity with the assistance of Cornell students.

Katharine Hunter made a short comment in support of a local study or survey to assess water resources in Danby at this time.

Appointments - West Danby Water Commissioner

The TB had received a recommendation from the West Danby Water District commissioners at the March 12 TB meeting. Dietrich noted that Carl's involvement with the Water District is a good crossover with his position as the Highway Superintendent. He further noted that Carl's years of experience are a valuable resource.

RESOLUTION NO. 33 OF 2018 - APPOINTMENT OF WATER COMMISSIONER, WEST DANBY WATER DISTRICT

Resolved, That the Town Board of the Town of Danby appoints Carl Seamon to a five year term as Water Commissioner for the West Danby Water District, through December 31, 2023.

Moved by Connors, Second by Holahan. The motion passed.

In Favor: Connors, Holahan, Miller, Ulinski, Dietrich

Appointments - Town Historian

Clerk Goddard reported that Mary Ann Barr was both willing and able to be reappointed as Town Historian for 2018. Alex Pfeiffer has needed to step down, due to other commitments. The Historians submitted their annual report for 2017. The Board would like to meet with MA Barr, to discuss current and future activities.

RESOLUTION NO. 34 OF 2018 - APPOINTMENT OF TOWN HISTORIAN

Resolved, That the Town Board of the Town of Danby appoints Mary Ann Barr as Town Historian for 2018.

Moved by Connors, Second by Ulinski. The motion passed.

In Favor: Connors, Holahan, Miller, Ulinski, Dietrich

Warrants

Bookkeeper explained the need to resolve some outstanding warrants from 2017 that hadn't previously been reviewed by the Town Board. These had been processed in the new credit card payment system at the end of the 2017 calendar year.

ABSTRACT #16 OF 2017:

GENERAL FUND

#577-578 for a total of \$653.25

Moved by Ulinski, Second by Holahan. The motion passed.

In Favor: Connors, Holahan, Miller, Ulinski, Dietrich

HIGHWAY FUND

#294-295 for a total \$365.14

Moved by Ulinski, Second by Connors. The motion passed.

In Favor: Connors, Holahan, Miller, Ulinski, Dietrich

Budget Adjustments - Staff Changes

There was discussion of the need to shift funds between budget lines in order to facilitate hiring an additional part-time (20 hours a week) staff person as an assistant to the Bookkeeper. Shawley asked the Board for permission to create a new line in the Town budget (A1220.113) for the assistant to the Bookkeeper. This person will be helping with abstracts and vouchers, investment tracking, finance reporting, and other accounting duties. Shawley and Dietrich estimate that this will cost in the range of \$10,000 for the rest of 2018. The Board will reevaluate the cost need in budget planning for 2019.

There was a discussion of adjustments in staff responsibilities, based on increased needs in record keeping related to increased projects underway in Town government. This new position will shift some of the duties and tasks that have currently been managed by Deputy Clerk McLellan. McLellan has split her time between duties in the Clerk's office and accounting projects as an assistant to the Bookkeeper.

RESOLUTION NO. 35 OF 2018 - APPROVE BUDGET ADJUSTMENT

Resolved, That the Town Board of the Town of Danby authorizes the creation of a new account/line item in the municipal budget (A1220.113) related to a part-time assistant to the Bookkeeper, and

Further Resolved, that there shall be a transfer of \$10,000, from the Fund Balance, into this account.

Moved by Connors, Second by Miller. The motion passed.

In Favor: Connors, Holahan, Miller, Ulinski, Dietrich

Truck Lease Program Approval

Information was provided by Carl Seamon and Jack Shawley regarding the need to upgrade an aging fleet of highway repair vehicles. Highway needs to replace a 12 year old and 15 year old truck, both of which are rusty and expensive to maintain. They submitted a proposal from the company Stadium International for two new trucks; a plow and a dump truck. The Highway Superintendents made a case for Viking truck products. These are known to be sturdy trucks and fit into the highway department's computerized maintenance program. The old trucks will be sent to auction.

The request for approval of this leasing plan is time sensitive, in order to lock in a lower interest rate. Bookkeeper Shawley provided detailed financial information regarding the lease proposal. She reported that the bank has suggested that the Town engage this lease-purchase agreement now, before interest rates increase. Bookkeeper Shawley suggested a four year schedule for the lease-purchase agreement, to save interest fees and to be comfortable in the annual budget process. The trucks leased in 2014 are all paid off. Shawley answered questions about the long-term plan for truck fleet improvements, begun five years ago.

The Board further reviewed the material presented, and agreed to take action at this meeting.

RESOLUTION NO. 36 OF 2018 - APPROVE VEHICLE LEASING PLAN

Resolved, that the Town Board of the Town of Danby authorizes the Highway Superintendent to enter into a lease-purchase agreement with Stadium International for two vehicles and related equipment; and be it

Further Resolved, that this will be a four year purchase agreement, not to exceed \$430,000.

Moved by Ulinski, Second by Connors. The motion passed.

In Favor: Connors, Holahan, Miller, Ulinski, Dietrich

Spectrum/WSKG Resolution

Councilperson Holahan brought a resolution for TB consideration requesting that Spectrum Cable continue WSKG service as part of its basic subscription package to residents in Tompkins County.

Supervisor Dietrich expressed concerns, related to other negotiations currently underway with Charter Communications related to extending service to underserved areas of the town. Dietrich was concerned that the effort related to WSKG broadcasts might overshadow other needs.

RESOLUTION NO. 37 OF 2018 - REQUESTING CHARTER COMMUNICATIONS/SPECTRUM TO CONTINUE WSKG AS PART OF ITS BASIC CABLE SERVICE TO SUBSCRIBERS RESIDING IN TOMPKINS COUNTY

Whereas, WSKG TV, a public television station originating in Binghamton, NY, is currently offered as part of the basic cable television lineup that Charter Communications/Spectrum provides to subscribers residing in Tompkins County; and

Whereas, WSKG TV's programming offers local news and arts coverage of particular interest to residents of Tompkins County; and

Whereas, Charter Communications/Spectrum has announced its intention to remove WSKG from the basic cable television lineup it provides to subscribers residing in Tompkins County; and

Whereas, Charter Communications/Spectrum also recently elected to remove WENY TV, a primary provider of local Tompkins County news and sports coverage, from its basic cable television lineup; and

Whereas, it is, therefore, a public service and in the public interest for Charter Communications/Spectrum to continue to offer WSKG as part of the basic cable television lineup it provides to subscribers residing in Tompkins County; and

Whereas, it will cost Charter Communications/Spectrum nothing to continue to offer WSKG as part of its basic cable television lineup; and

Whereas, Federal Communication Commission rules neither require nor prohibit Charter Communications/Spectrum from continuing to offer WSKG as part of its basic cable television line up; and

Whereas, numerous residents of Tompkins County have communicated their anger at Spectrum's decision and asked County officials to speak up on their behalf; **Now Therefore, be it**

Resolved, that the Town of Danby Town Board asks Charter Communication/Spectrum to reverse its announced decision and to continue to offer WSKG TV as part of the basic cable lineup it provides to subscribers residing in Tompkins County; and be it

Further Resolved, that copies of the resolution be sent to Mr. Chris Mueller Director, Government Affairs Charter Communications, Congressman Tom Reed, and New York State Senator Tom O'Mara.

Moved by Holahan, Second by Connors. The motion passed.

In Favor: Connors, Holahan, Miller, Ulinski, Dietrich

Energy Broker Information

There was a discussion of energy options available to the Town's electric meter network. An Electric Base Agreement, dated 03/05/2018, was presented to the Town of Danby by Energy Cooperative of America (Amherst, NY) for electric power at market rates plus \$0.004 per kWh. This is a significantly lower rate than has previously been paid by the Town. This is the same company as engaged by the Danby Fire District. Detailed information was provided by Code Officer Hansen and Bookkeeper Shawley. Hansen is tracking the kW hours and Shawley is tracking the money.

Ulinski reported that he had attended the most recent Fire District meeting, at which there was a substantial discussion about this electric base agreement. The Fire District Commissioners are strongly in favor of this proposal.

RESOLUTION NO. 38 OF 2018 - ELECTRIC SERVICE AGREEMENT

Resolved, that the Town Board of the Town of Danby authorizes the Town Supervisor to sign an electric energy supply contract agreement with Energy Cooperative of America (Amherst, NY) for a 12 month period starting from the April 2018 meter read through the April 2019 meter read. This agreement will cover accounts N0100000628313, N01000001444082, N01000061110219, N01000001869379, N01000002630242.

Moved by Ulinski, Second by Holahan. The motion passed.

In Favor: Connors, Holahan, Miller, Ulinski, Dietrich

Highway Superintendent Referendum - Elected/Appointed

Supervisor Dietrich presented proposal to bring question of whether the Highway Superintendent should be elected or appointed to Danby voters in 2018. This question was brought to referendum in 2010 (narrowly defeated) and discussed by the Town Board but not brought to referendum in 2016. Dietrich made a case for the Highway Superintendent being appointed, and for having this referendum in an “off year” election. Dietrich stated that the job of Highway Superintendent is more complicated now than in decades past, and that there is a need for continuity on the job. Complex issues include managing the truck fleet over the course of 10+ years, managing flood and storm water control, managing infrastructure in the Town, etc.

There was a brief discussion about the historical basis for having Highway Superintendent as an elected position. Highway Superintendents were elected as a sign of their involvement with the residents and their control of substantial budget needs. There has been an historical interest in residents being able to elect various Town officials, and opposition to losing the right to vote for that office. In NYS, some Highway Superintendents are elected and some are appointed. Some local Superintendents, such as in the Town of Ithaca, are appointed.

It was agreed that there is a need to review the process. Clerk Goddard and Councilperson Connors will gather earlier documents related to this initiative. Resident Woodworth raised the need for better communication with residents, regarding this issue.

Code Report

A Code report was made by Paul Hansen. He gave new information about the initiative to replace existing street lights with LED lights. The current estimate is that this will not be implemented until sometime in 2019. It is estimated that the Town will save a lot of money, because the cost of running the LED lights is less and the Town will own them. This may be as little as half the cost of the lights from NYSEG. The Town of Danby, and other Towns, will be joining in a City of Ithaca purchase process. Hansen estimated that the payback on the initiative should be in three or four years.

Hansen reported that the process is starting for a housing survey, beginning with drafting considerations/questions. This is at a preliminary stage. This survey will help provide information for future housing remediation grants.

He gave an update on the Dobson ground disturbance/trash court case. An agreement was made between the Town and Dobson. The DEC has determined that Dobson’s “Astreean Mountain” is not a violation issue. The surrounding fields serve to mitigate groundwater disturbance. Dobson has cleared a significant amount of material out of the front yard of his salvage area. He has been ordered to delineate and shrink the size of the junkyard and provide visual mitigation via a fence and/or berm. A four-page agreement signed by Dobson, detailing this agreement, is on file.

There was a question as to what happens to a junkyard when the owner is gone? This is uncertain, but Dobson must reapply every year for a permit to operate the salvage area. This particular use, as a “grandfathered” use, is specific to this property owner. Once the permits “drop” there is no more allowed junkyard.

Connors asked about the status of road repair in the area of Town Line and Layen Roads. The Highway Superintendents informed that Town Line Road is a Newfield road. The Town of Danby plows this road in winter as part of an intermunicipal road agreement. Year-round maintenance for Town Line Road falls to the Town of Newfield.

Conservation Advisory Council Report

Matt Ulinski distributed the annual report for 2017 from the CAC and verbally added details. There were three primary projects undertaken by the CAC in 2017: management plans for Town lands, conservation easements, natural resources inventory. Ulinski anticipates that recommended management plans will be ready for presentation to the Board in the next few months. The CAC has been working on a Conservation Easement for over a year, and this may be approaching agreement between the Town and the property owner. The CAC is particularly enthused about work on the Natural Resources Inventory (NRI) and looks forward to when this will be available as a planning tool for Danby. The complete 2017 CAC annual report is on file with the Town Clerk.

CAC activities for 2018 include creating a Conservation Easement Marketing and Action Plan, completing the property management plans for Town property, a revised Conservation Easement template, initiate use of the NRI and start the process of converting the CAC into a Conservation Advisory Board (CAB). The CAC particularly wants to simplify the process of negotiating a CE, with clear language for approaching land owners.

Ulinski and Connors reported on information gathered at a recent meeting of the Tompkins County Environmental Management Council. Informational material was distributed to member of the Board, the clerk, and other residents.

Adjournment

The meeting adjourned at 9:07 pm.

Pamela Goddard, Town Clerk